

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION: 04-CV-11069-JLT

ABRAHAM PHILIP, MD

Plaintiff,

vs.

JOHN CRONIN, in his personal
capacity.

Defendant.

JOINT MOTION FOR REVISED
SUMMARY JUDGMENT SCHEDULE

The parties move jointly that the summary judgment schedule for this case be modified as follows, for the reasons that follow.

1. A hearing on what are effectively cross-motions for summary judgment is now scheduled for November 9, 2005.

2. Plaintiff's counsel has long been scheduled to be out of state on that date. Defendants' counsel has a deposition scheduled for that date.

3. Given these and other scheduling problems, the parties jointly request that the summary judgment hearing now scheduled for November 9, 2005 be continued until the week of December 5, 2005.

4. The parties request that the plaintiff's brief in

opposition to the defendants' motion for summary judgment be due no later than November 14, 2005.

RELIEF REQUESTED

WHEREFORE, the parties joint request that the court:

(1) Schedule the hearing for the week of December 5, 2005;
and

(2) Order that the plaintiff's opposition be filed by
November 14, 2005.

Respectfully Submitted,

/s/ Daniel S. Sharp

Daniel S. Sharp (BBO 565524)
Attorney for
48 Locust Street
Marblehead, MA 01945
781-639-1862

/s/ Jean M. Kelley

Jean M. Kelley (BBO 265540)
Assistant Attorney General
Office of the Attorney General
One Ashburton Place, Room 1813
Boston, MA 02108
617-727-2200 x 3327

CERTIFICATE OF SERVICE

The undersigned certifies that he/she caused a true copy of the document above to served by first class mail, postage paid, on all counsel of record an and properly addressedd upon all parties

appearing *pro se* on October 7, 2005.
